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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
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11 **J & J SPORTS**  
12 **PRODUCTIONS, INC.,**  
13 Plaintiff,  
14 v.  
15 **MARCELLA MELENDEZ**  
16 Defendant.  
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Case No. CV 08-7993 WDK

**ORDER GRANTING PLAINTIFF'S  
APPLICATION FOR DEFAULT  
JUDGMENT**

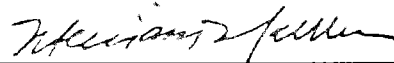
18 Default having been entered in this action against Defendant Marcella  
19 Melendez, individually and d/b/a Rocky's New York Style Pizzeria on May 27,  
20 2009, and the application for and declarations in support of default judgment  
21 having been filed on or about June 29, 2009 and having been served on Defendant  
22 and notice given and no appearance or response by the Defendant having been  
23 made in person or in writing, and Plaintiff having met all of the statutory  
24 requirements for an Application for Default Judgment, IT IS HEREBY  
25 ORDERED AND ADJUDGED that Default Judgment in the amount of \$5,495.00  
26 in actual damages (\$54.95 per person x 100 individuals in actual attendance) plus  
27 \$10,990.00 in punitive damages based on willfulness, an amount that is equal to  
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two times the actual damages<sup>1</sup>, is therefore GRANTED against Defendant Marcella Melendez, individually and d/b/a Rocky's New York Style Pizzeria. The Court further grants Plaintiff \$1,589.10 in attorneys' fees pursuant to Local Rule 55-3, for a total of \$18,074.10. Costs are to be submitted in cost bill.

IT IS SO ORDERED.

IT IS FURTHER ORDERED that the Clerk of the Court shall serve, by United States mail or by telefax or by email, copies of this Order on counsel for the parties in this matter.

Dated: 12/29/09



William Keller  
United States District Judge

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<sup>1</sup>The Court has determined that the proper measure of punitive damages based on willfulness is an amount equal to a multiple of actual damages. For guidance, the Court looks to statutes that grant punitive damages as a multiple of actual damages. *See, e.g.*, 15 U.S.C. § 15 (Antitrust)(treble damages); 18 U.S.C. § 1964(c) (Racketeer Influenced and Corrupt Organizations Act)(treble damages); 18 U.S.C. § 2318 (Trafficking Counterfeit Labels)(treble damages); 35 U.S.C. § 284 (Patent Infringement)(treble damages).